

**Resolution authorizing a settlement to AT&T for a utility damage claim due to an equipment accident involving a Franklin County Engineer's Office employee (Engineer) (\$2,123.71 )**

**WHEREAS**, on July 28, 2015, a Franklin County Engineer's Office employee damaged an AT&T utility box; and

**WHEREAS**, during routine grass maintenance of the right-of-way, a Franklin County Engineer's Office employee operating a tractor struck an AT&T utility box and severed the cable at 8500 Scioto & Darby Creek Road; and

**WHEREAS**, AT&T utility box sustained damage in the accident, injuries were not reported; and

**WHEREAS**, Franklin County Engineer's Office will pay for the property damage in the amount of two thousand one hundred twenty three dollars and seventy one cents, (\$2,123.71) for the damages done to AT&T's utility box in the accident that occurred on July 28, 2015 and AT&T has accepted contingent on approval by the Commissioners; and

**WHEREAS**, the above described settlement fairly compensates AT&T for the damages to their utility box; and

**WHEREAS**, by agreeing to this settlement, neither Scott Phillips, the Franklin County Commissioners, nor the Franklin County Engineer's Office admits to any negligence or liability arising out of the equipment accident; and

**WHEREAS**, the above described settlement, recommended by the Prosecuting Attorney's Office is deemed to be in the best interest of the Franklin County Commissioners and the Franklin County Engineer's Office to settle the utility equipment damage claim for two thousand one hundred twenty three dollars and seventy one cents, (\$2,123.71); now, therefore,

BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

Section 1) That the above-referenced settlement in the amount of two thousand one hundred twenty three dollars and seventy one cents, (\$2,123.71) is in the best interest of the Franklin County Commissioners and Franklin County Engineer's Office, and the same is hereby approved.

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Section 2) That upon execution of a full release in favor of the Franklin County Commissioners and the Franklin County Engineer's Office that is satisfactory to the Prosecutor's Office, a warrant be issued payable to AT&T as full and final settlement of this matter.

Section 3) That the attached purchase order individually described on the accompanying Purchase Order Proof List has been pre-certified by the Franklin County Auditor for payment.

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Prepared By: Carla Marable  
c: Engineer